

JFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: J. David Brown et al.

Title: BYPASS FOR GLAUCOMA DRAINAGE DEVICE

Docket No.: 600.592US1

Filed: September 16, 2003

Examiner: Unknown

Serial No.: 10/664,409

Due Date: N/A

Group Art Unit: 3763



**Mail Stop Amendment**

Commissioner for Patents

P.O. Box 1450


Alexandria, VA 22313-1450

We are transmitting herewith the following attached items (as indicated with an "X"):

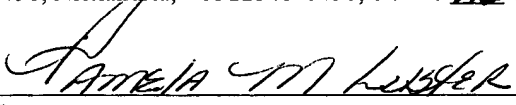
- ☒ A return postcard.
- ☒ A Supplemental Information Disclosure Statement (2 pgs.), Form 1449 (1 pg.), and copies of 3 cited documents.
- ☒ The International Search Report from International Application No. PCT/US2004/004073 (5 pgs.).

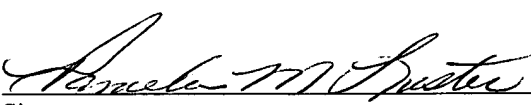
Please consider this a **PETITION FOR EXTENSION OF TIME** for sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
Customer Number 21186

By:   
Atty: David W. Black  
Reg. No. 42,331

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 22 day of August, 2004.

  
Name

  
Signature

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
(GENERAL)

S/N 10/664,409



PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	J. David Brown et al.	Examiner:	Unknown
Serial No.:	10/664,409	Group Art Unit:	3763
Filed:	September 16, 2003	Docket:	600.592US1
Title:	BYPASS FOR GLAUCOMA DRAINAGE DEVICE		

---

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In compliance with the duty imposed by 37 C.F.R. § 1.56, and in accordance with 37 C.F.R. §§ 1.97 *et. seq.*, the enclosed materials are brought to the attention of the Examiner for consideration in connection with the above-identified patent application. Applicants respectfully request that this Supplemental Information Disclosure Statement be entered and the documents listed on the attached Form 1449 be considered by the Examiner and made of record. Pursuant to the provisions of MPEP 609, Applicants request that a copy of the 1449 form, initialed as being considered by the Examiner, be returned to the Applicants with the next official communication.

The attached documents were discovered as a result of a Search Report in Applicants' corresponding foreign patent application. Enclosed for the Examiner's information is a copy of the cited documents and the Search Report.

Pursuant to 37 C.F.R. §1.97(b), it is believed that no fee or statement is required with the Supplemental Information Disclosure Statement. However, if an Office Action on the merits has been mailed, the Commissioner is hereby authorized to charge the required fees to Deposit Account No. 19-0743 in order to have this Supplemental Information Disclosure Statement considered.

The Examiner is invited to contact the Applicants' Representative at the below-listed telephone number if there are any questions regarding this communication.


The present application is either a U.S. national patent application filed after June 30, 2003 or an international application that entered the national stage under 35 U.S.C. § 371 after June 30, 2003. Thus, Applicant believes that the U.S. Patent & Trademark Office has waived the requirement under 37 C.F.R. 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication. The waiver is provided in a pre-OG notice from the U.S. Patent & Trademark Office entitled "Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications filed after June 30, 2003" and dated July 11, 2003. Applicant acknowledges the requirement to submit copies of foreign patent documents and non-patent literature in accordance with 37 C.F.R. 1.98(a)(2).

Respectfully submitted,


J. DAVID BROWN ET AL.

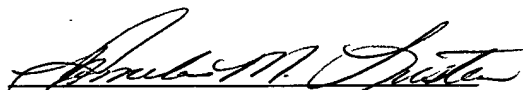
By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
P.O. Box 2938  
Minneapolis, MN 55402  
(612) 373-6911

Date August 23, 2004 By   
David W. Black  
Reg. No. 42,331

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 23 day of August, 2004.

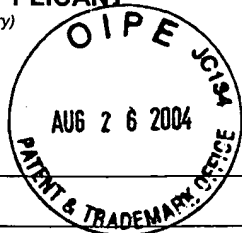
  
Name

  
Signature

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)



Complete if Known

**Application Number** 10/664,409**Filing Date** September 16, 2003**First Named Inventor** Brown, J.**Group Art Unit** 3763**Examiner Name** Unknown

Sheet 1 of 1

**Attorney Docket No:** 600.592US1**US PATENT DOCUMENTS**

Examiner Initial *	USP Document Number	Publication Date	Name of Patentee or Applicant of cited Document	Class	Subclass	Filing Date If Appropriate
	2002/0169468A1	11/14/2002	Brown, J. D.	606	161	01/09/2001
	US-5,071,408	12/10/1991	Ahmed, A. M.	606	108	02/12/1990
	US-5,300,020	04/05/1994	L'Esperance Jr., F. A.	604	9	09/30/1992
	US-6,186,974	02/13/2001	Allan, B. D., et al.	604	30	08/16/1999

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Foreign Document No	Publication Date	Name of Patentee or Applicant of cited Document	Class	Subclass	T <sup>2</sup>
	JP-2001-142539 (English Abstract)	05/25/2001	Yanagihara, S.	G05D	7/01	
	WO 00/72788A1	12/07/2000	Yaron, I., et al.	A61F	9/007	
	WO 01/78656A2	10/25/2001	Hill, R. A.	A61K		

**OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
--------------------	----------------------	---	----------------

**EXAMINER****DATE CONSIDERED**

Substitute Disclosure Statement Form (PTO-1449)

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional) <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached